

City Council Minutes
Tuesday, January 14, 2014
City Hall Auditorium
7:00 p.m.

Meeting called to order at 7:00 p.m.

Councilor Ferguson led the Pledge of Allegiance

Members present: Councilor Sickorez, Councilor Moavenzadeh, Councilor Lavoie, Councilor McClure, Councilor Kelcourse, Councilor Ferguson, Councilor Sherwood and President McMilleon

Councilor Kelcourse moved to accept the minutes of November 12, 2013. Councilor Ferguson seconded and it was voted Unanimous

There were no Mayoral Appointments at this time.

Mayor Gray commented that he feels that he can work with all of the Councilors and will strive to provide the Council with information to help them do their job and encourages calls and communication on any issues.

2014-004 Common Victualler-Julie Sheehan, Soulicious Foods, 59 Pleasant Valley Rd. Julie Sheehan stated that she had been before the Zoning Board on June 26, 2014 to get a special permit for a residential kitchen on her home and it has been approved. Finally here to get us up and running. She will be making whole food, granola cereal that will be packaged and sold wholesale as local as possible.

Councilor Ferguson moved to accept as submitted with the usual stipulations. Councilor Kelcourse seconded and it was voted Unanimous.

2014-005 General Business –Joel C. Zeigler dba Rocky Hill Architecture, 14 Cedar St, #322 Mr. Zeigler withdrew his application.

2014-009 General Business-Kristen Nelson dba Heart Studio, 9 Water Street Kristen Nelson of 75 Highland St stated that she will be opening an art studio to teach children and adults, drawing, painting, mosaics, clay and more.

Councilor Kelcourse moved to approve as submitted with the usual stipulations. Councilor Ferguson seconded and it was voted Unanimous.

7. Correspondence

a. President/Vice President Communications

1.) City Council Subcommittee Appointments

Councilor McMilleon stated that one change is that Councilor Sickorez is not on the Ordinance Committee and that seat will be left open until the vacant Council Seat is filled.

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Councilor Ferguson moved to accept the City Council Subcommittee Appointments for 2014. Councilor Sherwood seconded and it was voted Unanimous.

b. Communication from Elected Officials, Boards and Commissions

1.) **2014-010** Declare Vacancy on Planning Board and schedule joint public hearing

Councilor Kelcourse read the resignation letter of Ara Sanentz from the Planning Board and the letter from the City Clerk for the Council to declare the vacancy with a term expiring on 12/31/2015. Councilor Ferguson seconded and it was voted Unanimous.

Councilor Ferguson moved to schedule a joint meeting with the Planning Board at the February 11, 2014 City Council meeting to fill the vacancy of the Planning board. Councilor McClure seconded and it was voted Unanimous

2.) **2014-011** Declare Vacancy on City Council and schedule public hearing

Councilor Kelcourse read the letter from City Clerk Kitchin to declare a vacant City Council Seat and to schedule a public hearing.

Councilor McClure moved to declare a vacancy of District Two City Council seat. Councilor Sickorez seconded and it was voted Unanimous.

Councilor Ferguson moved to have a public hearing to elect a City Councilor for District Two vacancy. Councilor Lavoie seconded.

Councilor Sherwood mentioned that a date that applications are due should be set as well. Councilor Lavoie stated that the rules state that applications can be accepted up until 4 pm on the Wednesday before the Council meeting. It was determined that Wednesday, February 5, 2014 is the deadline. The motion was voted Unanimous.

c. Council Communications, Announcements and Committee Reports

Public Comment

Melissa LaChance, 16 Market Street stated that there is a Winter Appreciation Event at the Amesbury Sports Park and they are partnering with the Haverhill Chamber of Commerce. Tickets for tubing will be \$10.00 from 3-6 and 6-9. There will also be ice skating, a magician and face painting.

There were no Public Hearings at this time.

11. First Readings

2014-003 An Ordinance to Establish a Medical Marijuana Overlay District - Councilors Sherwood, Ferguson, Kelcourse and McClure sponsor

Summary: This ordinance will establish a Medical Marijuana Overlay District in order to regulate the permitting, location and operations of medical marijuana dispensaries (as defined in the ordinance) in the City of Amesbury.

Councilor Ferguson moved to send this to Ordinance, Finance and Planning and schedule a public hearing for February 11, 2014. Councilor Kelcourse seconded and it was voted Unanimous.

2014-006 An Order to accept a grant in the amount of \$64,306 from the Tufts Health Plan Foundation, Inc. - Mayor Gray sponsor

Summary: The Friends of the Amesbury Council on Aging was awarded the Tufts grant to support the Amesbury Caregivers Essential (ACE) program. The Grant will allow the ACE program to continue its caregiver support services to both Amesbury resident and residents of the Northern Merrimack Valley, in collaboration with neighboring communities. There is no local match required for this grant.

Councilor Kelcourse moved to send this to the Finance Committee for recommendations and to schedule a public hearing at the February 11, 2014 City Council meeting. Councilor McClure seconded and it was voted Unanimous.

2014-007 A Resolution to recommend that the Mayor surplus the condominium unit currently owned by the City of Amesbury. - Councilor Lavoie sponsor

Summary: A Resolution to request that the Mayor surplus the condominium unit owned by the City of Amesbury designated as Assessors Map 53 Parcel 2901/W and commonly known as 37 Millyard Unit 1-107 (the "Condominium Unit"), the since the purposes for which that property is currently used can best be provided in a more cost-effective location at an expense level more affordable to the residents of Amesbury.

Councilor Lavoie stated that this was asked twice of Mayor Kezer to surplus the Condo Unit. It is commonly referred to as the Cultural Center. It has some use for functions and was originally going to be display space for artists that reside in that building. It is a great residential complex and has not turned into the Artist's Loft Community that was originally envisioned so that space gets very little use and comes with an \$11,000.00 per year Condo fee. Last budget season the condo fees were only funded for ½ year which expired on December 31, 2013. Either there will have to be a supplemental appropriation bill brought forward by the Mayor or if we vote this resolution he will know that this Council feels just as strongly that the time has come for that space to be put back on the tax rolls.

Councilor McMilleon stated that discussion before noted that if we surplus this it would be breaking a contract that we have.

Councilor Lavoie stated that there have been suggestions that such would be the case; that there are condominium restrictions against other than municipal ownership. As a council we can express our opinion on what should be done with that place. When it comes to either buying or selling municipal assets, the Mayor is really in charge of that.

Councilor McMilleon explained that this resolution can be passed tonight. It is not something that the Mayor has to abide by, it is basically a recommendation from the Council that we would like him to look into this further.

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Councilor Kelcourse moved to pass resolution 2014-007. Councilor Sickorez seconded and it was voted Unanimous.

2014-008 An Ordinance to Establish a Local Licensing Requirement for the Cultivation of Medical Marijuana by Mass DPH License Holders - Councilor Lavoie sponsor

Summary: This ordinance will establish in the City of Amesbury a Local Licensing Requirement for the Cultivation of Medical Marijuana by Mass DPH License Holders.

Councilor Kelcourse moved to send this to the Ordinance Committee and the Finance Committee for recommendations and schedule a public hearing at the February 11, 2014 City Council meeting. Councilor Lavoie seconded and it was voted Unanimous.

Councilor Ferguson moved to adjourn at 7:47 p.m. Councilor Sickorez seconded and it was Unanimous.

Respectfully submitted,

Sharon Dunning
Assistant City Clerk

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